

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MIGUEL HERNANDEZ-VALDEZ,

Petitioner,

v.

Civ. 12-160 LH/RHS
Cr. 10-3096 LH

UNITED STATES OF AMERICA,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 7), filed June 14, 2012, which recommends dismissal of Petitioner Miguel Hernandez-Valdez's Motion Under 28 U.S.C. § 2255 To Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (Doc. 1). The time for filing objections expired July 2, 2012. No objections have been filed.

The Court has made a *de novo* determination and agrees with the Magistrate Judge's Proposed Findings and Recommended Disposition, and will deny Petitioner's 28 U.S.C. § 2255 Motion, and dismiss this civil proceeding with prejudice.

IT IS HEREBY ORDERED that the Proposed Findings and Recommended Disposition of the Magistrate Judge (Doc. 7) are adopted by the Court and Petitioner's Objections are hereby denied.

IT IS FURTHER ORDERED that the Motion Under 28 U.S.C. § 2255 To Vacate, Set

Aside or Correct Sentence by a Person in Federal Custody (**Doc. 1**) is **denied** and this civil proceeding is **dismissed with prejudice**.



SENIOR UNITED STATES DISTRICT JUDGE